



The State of Utah

Department of  
Natural ResourcesDivision of  
Oil, Gas & MiningROBERT L. MORGAN  
*Executive Director*LOWELL P. BRAXTON  
*Division Director*OLENE S. WALKER  
*Governor*GAYLE F. McKEACHNIE  
*Lieutenant Governor*

## Representatives Present During the Inspection:

Company Steve Behling

OGM Steve Demczak Environmental Scientist III

**Inspection Report**

Permit Number:	C0150015
Inspection Type:	PARTIAL
Inspection Date:	Tuesday, May 11, 2004
Start Date/Time:	05/11/2004 10:00:00 AM
End Date/Time:	05/11/2004 3:00:00 PM
Last Inspection:	Thursday, April 01, 2004

Inspector: Steve Demczak, Environmental Scientist IIIWeather: Sunny, 50'sInspectionID Report Number: 270Accepted by: pgrubaug  
06/07/2004Permittee: **CONSOLIDATION COAL CO**Operator: **CONSOLIDATION COAL CO SESSER OPERATIONS**Site: **EMERY DEEP MINE**Address: **PO BOX 566, SESSER IL 62884**County: **EMERY**Permit Type: **PERMANENT COAL PROGRAM**Permit Status: **ACTIVE**

## Current Acreages

5,180.00	<b>Total Permitted</b>
247.00	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

## Mineral Ownership

- Federal  
 State  
 County  
 Fee  
 Other

## Types of Operations

- Underground  
 Surface  
 Loadout  
 Processing  
 Reprocessing

**Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:**

Permit Conditions: Emery Deep has one permit condition. The permittee must submit water quality data in an electronic format through the Electronic Data Input web site.

No violations pending.

Consolidation Coal requested on April 19, 2004 for an Agency Board Hearing. The permittee wanted to invalidate certain provisions of the amendment requiring the implementation of certain air quality measures. The Division staff met with Consol on April 30, 2004 and the issues were resolved by submitting a new amendment. The DOGM Board withdrew the hearing during to Consol and the Division resolving the issues.

Inspector's Signature

Steve Demczak, Environmental Scientist III

Inspector ID Number: 39

Date

Monday, May 17, 2004

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801  
 telephone (801) 538-5340 facsimile (801) 359-3940 TTY (801) 538-7223 [www.ogm.utah.gov](http://www.ogm.utah.gov)

**Utah!**  
 Where ideas connect™

Permit Number: C0150015  
 Inspection Type: PARTIAL  
 Inspection Date: Tuesday, May 11, 2004

**Inspection Continuation Sheet**

**REVIEW OF PERMIT PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS**

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**1. Permits, Change, Transfer, Renewal, Sale**

The permittee will be submitting a new amendment to revise the approved amendment regarding coal fines leaving the permit area.

**2. Signs and Markers**

Identification sign will be needed for the new excess to the fourth East Portal facilities. The regulation requires that identification signs will be displayed at each point of access to the permit area from public road.

**3. Topsoil**

The new portion of the topsoil pile was seeded in April. This was inspected by the inspector during the inspection in May. The permittee did seed all of the new topsoil area. Grasses have started to appear on the older portion of the topsoil pile. Vegetation is better at the Fourth East portal topsoil pile than the other topsoil pile at Emery Deep.

**4.a Hydrologic Balance: Diversions**

The diversions were spot-checked and comply with the performance standards of the R645 Coal Rules. No water was flowing in the diversions during the inspection.

**4.d Hydrologic Balance: Water Monitoring**

The permittee has contracted the water sampling to a consulting firm. The water monitoring by the consulting firm will begin in second quarter of 2004.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

The refuse pile was inspected with no hazardous conditions noticed during the inspection.

**8. Noncoal Waste**

The mine site had been clear of non-coal waste material.

**18. Support Facilities, Utility Installations**

The two water cannons have been installed for the prevention of coal fines leaving the permit area. This was installed since the last inspection. The permittee has not tested the cannons at this time due to no water pressure. This was a requirement of the amendment to stop coal fines from leaving the permit area.